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FOR MYSORE STATE

II-15—75,403—3-11-53.

H.E.L.A. (195 5) Department.

Rt. SERIES.

G.O. No. 547, Health

Dated 19-8-1955.

[Despatch Abstract.]

SUPPLY - Mangalore - Water Supply Scheme - Land Acquisition - South
a District - Mangalore Taluk - Alape Village - Notification under Section 4(1)
eclaration under Section 6 of the Land Acquisition Act - Publication - Ordered.

R.Dis 2780/55 South Kanara Collector's Office,
Mangalore dt. 27.5.55

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From

Sri M.G. Raja Ram, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
Health, Education and Local Administration,
Fort St. George, MADRAS 9
(In duplicate)

Sub: LAND ACQUISITION (South Kanara) - Mangalore taluk Alape village - S.Nos. 50/6A 2. 50/8B, 4B etc. for laying a pumping main along the Mangalore Mercara road - Draft 4(1) Notification and Draft Declaration under Section 6 of the Land Acquisition Act - Submitted.- Approval . Requested.

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These proposals under the Land Acquisition Act have been taken up at the instance of the Asst. Engineer Public Health Sub Division, Mangalore. He has applied for the acquisition of portions of certain plots denoted as S.No. 50/6A2, 50/8B 50/4B, 51/4B, 4C, 3B, 2B, 2C, 1B, 52/2B, 3B and 4B of Alape village, Mangalore taluk for laying a pumping main along the Mangalore- Mercara Main road. The total extent of the plots proposed to be acquired is 0.29 acres. The plots proposed to be acquired have been classified as Wet I, Wet III dry and garden in the Revenue accounts.

2. The interested parties to the several plots have been examined. All of them have no objection to the acquisition and they have given their consent statements to enter upon the lands and commence work. All the plots except S.No. 51/4B and 2C were taken possession of and handed over to the Asst. Engineer (P.H) on 2.4.55. Action is being taken to hand over possession of the remaining two plots referred to above.

3. As regards the valuation of the plots, the Land Acquisition officer, Coondapur reports that there have been no land sales in the village during the year 1952.55 and those sold during the past three years are reported to be not similar to those now proposed to be acquired. The I Class Wet lands have therefore been valued on the basis of the annual rental of S.No. 50/8 and 51/3 of Alape village, which are similar to the Wet I lands proposed to be acquired. The rental for the Wet I lands in the village is 17½ muras of rice, per acre

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which when converted into cash rentals at Rs 15/- per mura works out to Rs 5000/- per acre. S.No. 52/2B though stands registered as wet III, it is reported that regular four crops are raised in it and that it is similar in all respects to its adjoining plot S.No 52/3 which is classified as wet I. S.No 52/2B has therefore been valued at Rs 5000/- as a Ist class wet Land.

(i) S.No. 51/3B stands registered as dry land. It is reported to be similar to S.No. 46/1 which is situated a distance of two furlongs. As S.No. 46/1 of Alape village was recently acquired for the location of a I.D. hospital, on behalf of the Mangalore Municipality at Rs 2500/- per acre, the same rate, has been adopted for S.No. 51/3B also.

(ii) S.No. 51/1B stands registered as garden and it contains some scattered tree growth. The trees existing on it have been valued at the market rate while the plot has been valued as dry land on the basis of the probable rental obtainable for similar lands. The Market value of this plot works out to Rs 3000/. per acre. The total cost of acquisition of all the plot, works out to Rs 2200.15.0. The plots were inspected by the Rev.Divl. Officer Coondapur and found the valuation of the different categories of lands mentioned above, reasonable.

4. All the plots concerned in this case are either arable or waste lands except S.No.51/1B which is a garden land with scattered tree growth. They do not contain any buildings of permanent nature, nor do they contain any religious edifices such as tombs or grave yards etc. The Executive Engineer (P.H) Coimbatore and the Asst. Engineer (PH) Mangalore have requested that the plots may be acquired under the provision of Section 17 of the Land Acquisition Act as they are urgently required for laying out pipes in connection with the Mangalore Water Supply Scheme which has to be implemented before the ensuing rainy season if possible. I consider that this is a fit case in which the enquiry under Section 5A of the L.A.Act should be dispensed with under the provisions of Sec. 17(4) of the L.A. Act.

6. All the plots are either arable or waste lands except

S.No. 51/1B which is registered as garden land with a few scattered treees. Except for these few trees, it is considered as a dry land and has been valued accordingly. I, therefore, consider that this is a ~~fit~~ case falling under the provisions of Section 17(1) of the L.A.Act. and recommend that the urgency provisions of Section 17(1) of the L.A.Act may be applied.

6. In the circumstances stated, I submit herewith in duplicate a draft notification under Section 4(1) and draft declaration under Section 6 read with Sec.17(1) of the L.A. Act which may be approved and ordered to be published in the Fort St. George Gazette.

7. An eye sketch of the plots is enclosed for perusal and return.

Yours faithfully,

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For Collector

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~~DRAFT~~ NOTIFICATION UNDER SECTION 4(1) OF THE LAND ACQUISITION ACT.

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WHEREAS it appears to the Government of Madras that the lands specified in the Schedule below are needed for a public purpose, to wit, for laying a pumping main along the Mangalore-Mercara road in Alape village of Mangalore Taluk; notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act, as amended by the ~~Land~~ Land Acquisition (Amendment) Act (Act XXXVIII of 1923) and the ~~Government~~ Governor of Madras hereby authorises the Revenue Divisional officer, Coondapur, ~~and~~ his staff and workmen to exercise the powers conferred by Sec. 4(2) of the Act. Under sub-section (4) of Sec. 17 of the Act, the Governor of Madras directs that in view of the urgency of the case, the provisions of section 5A of the Act shall not apply to this case.

SCHEDULE

DISTRICT : SOUTH KANARA

TALUK : MANGALORE

VILLAGE : ALAPE

S.No.	Description	Extent	Name of the owner or occupier
50/6A 2	Ryotwari Wet I	0-01 acre 708 Sq.links	K. Krishna Rao
50/8B	-do-	0-03 3000	Louisa Rodrigues Bai.
50/4B	-do-	0-02 2244	K. Krishna Rao
51/4B	-do-	0.02 2040	-do-
51/4C	-do-	0.01 1197 Sq.links	Leeli--do-
51/3B	Dry	0.01 700	Louisa Rodrigues Bai
51/2B	Wet I	0.01 420	Ummakke Hengsu
51/2C	"	0.04 3970	-do-

S.No.	Description	Extent	Name of the owner or occupier.
51/13	Garden	0-02 ---- 1560	1.Kuthu Angsu (2) Seethu Adepa and (3) Jeevani (owner) (4) Sheik Hassain Sahib (tenant)
52/83	Wet III	0-01 ---- 1080	1.Alfred A.J.Fernandez. 2.Frank A.Fernandes. 3. Huper A.Fernandes.
52/33	Wet I	0-03 ---- 3300	do
52/43	Wet I	0-08 ---- 7920	1.Thammu Shetty 2. Thammu Rai.

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~~DRAFT~~ DECLARATION UNDER SEC. 6. OF THE LAND ACQUISITION ACT

Under Sec. 6 of the Land Acquisition Act, the Governor of Madras, hereby declares that the lands specified in the Schedule below and measuring ~~(0-29)~~ 0.29 acre or 28139 sq.~~ft~~. links, be the same, a little more or less, are needed for a public purpose, to wit, for laying a pumping main along the Mangalore-Mercara Road in Alape Village of Mangalore Taluk and under Sections 3 and 7 of the same Act, the Revenue Divisional Officer, Coondapoor is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under Sub-Sec. (1) of Section 17 of the Act, the Governor of Madras further directs that the possession of the said lands may be taken ~~immediately after the~~ on the expiry of 15 days from the date of publication of the notice mentioned in Sec.9(1) of the Act. A plan of the land is kept in the Office of the Revenue Divisional Officer, Coondapoor and may be inspected at any time during the office hours.

District	Taluk	Village	Description of land wet or poramboke with Survey No. or Pattamash No.	Name of the owner or occupier	Extent to be taken up
1.	2	3	4	5	6
South Kanara	Mangalore	Alape	Kotwari 50/6A2 Wet I	K.Krishna Rao	0-01 acre 708- sq. links.
			50/8B Wet I	Louisa Rodrigues Bai	0-06 3000 "
			50/4B Wet I	K.Krishna Rao	0-02 2244 "
			51/4B Wet I	-do-	0-02 2040 "
			51/4C Wet I	do	0-01 1897 "
			51/3B Dry	Louis a Rodrigues Bai	0-01 700
			51/2B Dry Wet I	Ummake Hengsu	0-01 130 "
			51/2C Wet I	do	0-04 3970 "

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1.	2.	3.	4.	5	6
South Kanara	Mangalore Taluk	Belpe.	51/13 Garden	1.Muthu Bengsu 2.Seetha Adara (3)Bhavini/(~~owners~~). 4. Sheik Hassan Saheb(~~owners~~) (enjoyer)'	0-02 acre 1560 sq.links
			52/23 Pet III	1.Alfred A.J.Fernandez, 2.Frank A.Fernandez 3.Super A.Fernandez	0-01 1080 ~~s~~
			52/33 Pet I	-do-	0-03 3300
			52/43 Pet I	1.Thammu Shetty 2.Thammu Rai	0-03 7920/
				Total	0-11 acre 28139 sq. links.

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R.Dis 2780/55 South Kanara Collector's Office,
Mangalore dt. 27.5.55

From

Sri M.G. Raja Ram, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
Health, Education and Local Administration,
Fort St. George, MADRAS 9
(In duplicate)

Sir,

Sub: LAND ACQUISITION (SouthKanara) - Mangalore taluk Alape village - S.Nos. 50/6A 2. 50/8B, 4B etc. for laying a pumping main along the Mangalore Mercara road - Draft 4(1) Notification and Draft Declaration under Section 6 of the Land Acquisition Act - Submitted.- Approval . Requested.

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These proposals under the Land Acquisition Act have been taken up at the instance of the Asst. Engineer Public Health Sub Division, Mangalore. He has applied for the acquisition of portions of certain plots denoted as S.No. 50/6A2, 50/8B 50/4B, 51/4B, 4C, 3B, 2B, 2C, 1B, 52/2B, 3B and 4B of Alape village, Mangalore taluk for laying a pu mping main along the Mangalore- Mercara Main road. The total extent of the plots proposed to be acquired is 0.29 acres. T e plots proposed to be acquired have been classified as Wet I, Wet III dry and garden in the Revenue accounts.

2. The interested parties to the several plots have been examined. All of them have no objection to the acquisition and they have given their consent s tatements to enter upon the lands and commence work. All the plots except S.No. 51/2B and 2C were taken possession of and handed over to the Asst. Engineer (P.H) on 2.4.55. Action is being taken to hand over possession of the remaining two plots referred to above.

3. As regards the valuation of the plots, the Land Acquisition officer, Coondapur reports that ther have been no land sales in the village during the year 1952.55 and those sold during the past three years are reported to be not similar to those now proposed to be acquired. The I Class Wet lands have therefore been valued on the basis of the annual rental of S.. 50/8 and 51/3 of A lape village, which are similar to the Wet I lands proposed to be acquired. The rental for the wet I lands in the village is 17½ muras of rice, per acre

which when converted into cash rentals at Rs 15/- per cent works out to Rs 6000/- per acre. S.No. 52/2D though stands registered as wet III, it is reported that regular four crops are raised in it and that it is similar in all respects to its adjoining plot S.No 52/3 which is classified as wet I. S.No 52/2D has therefore been valued at Rs 8000/- as a Wet class wet land.

(i) S.No. 51/3B stands registered as dry land. It is reported to be similar to S.No. 46/1 which is situated a distance of two furlongs. As S.No. 47/1 of Ukkadam village was recently acquired for the location of a I.D. Hospital, on behalf of the Chamber Municipality at Rs 2500/- per acre, the same rate, has been adopted for S.No. 51/3B also.

(ii) S.No. 51/1B stands registered as Garden and it contains some scattered tree growth. The trees existing on it have been valued at the market rate while the plot has been valued as dry land on the basis of the probable rental obtainable for similar lands. The correct value of this plot works out to Rs 8000/- per acre. The total cost of acquisition of all the plots works out to Rs 8200.15.0. The plots were inspected by the Asst. Divl. Officer Town Pur and found the valuation of the different categories of lands mentioned above. Reasonable

4. All the plots concerned in this case are either arable or waste lands except S.No.51/1B which is a Garden land with scattered tree growth. They do not contain any buildings of permanent nature, nor do they contain any religious edifices such as tombs or grave yards etc. The Executive Engineer (W.S.) Coimbatore and the Asst. Engineer (W.S.) Thondamuthur have requested that the plots may be acquired under the provision of Section 17 of the Land Acquisition Act as they are urgently required for laying out pipes in connection with the Thondamuthur Water Supply Scheme which has to be implemented before the coming rainy season if possible. I consider that this is a fit case in which the enquiry under Section 5A of the L.A. Act may be dispensed with under the provisions of Sec. 17(4) of the L.A. Act.

All the plots are either arable or waste lands except

S.No. 51/1B which is registered as garden land with a few scattered trees. Except for these few trees, it is considered as a dry land and has been valued accordingly. I, therefore, consider that this is a ~~fit~~ case falling under the provisions of Section 17(1) of the L.A.Act. and recommend that the urgency provisions of Section 17(1) of the L.A.Act may be applied.

6. In the circumstances stated, I submit herewith in duplicate a draft notification under Section 4(1) and draft declaration under Section 6 read with Sec. 7(1) of the L.A. Act which may be approved and ordered to be published in the Fort St. George Gazette.

7. An eye sketch of the plots is enclosed for perusal and return.

Yours faithfully,

20.5.55

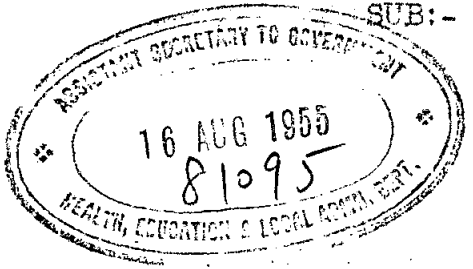
For Collector

L.Dis.3013/55. South Kanara Collector's Office,
Mangalore, dated: 10-8-55.

From
Sri M.S. Raja Ram, I.A.S.,
Collector of South Kanara,
Mangalore.

To
The Secretary to the Government,
Health, Education and L.A.D.,
Fort St. George, Madras-9.

Sir,



SUB:- LAND ACQUISITION(South Kanara), - Mangalore -Kadri - Alake Village- S.No.50/6A3, - 50/6B, &B, for laying pumping main - along the Mangalore - Mercara Road- Draft notification under Section 4(1), and Draft Declaration under Section 6, of the Land Acquisition Act- Report submitted - Approval and Publication requested.

REF:-This Office, L.Dis.3760/55, dated: 7-8-1955.

I request early orders on my reference cited.

Yours faithfully,

12-8-55.
For Collector.

Copy to:- The Revenue Divisional Officer, Coondapur.
L.A./11.8.55.

Water supply — Mangalore water supply scheme — Land Acquisition — South Kanara dt — Mangalore taluk — Olape village — Notification under section 4(1) and Declaration under section 6 of the Land Acquisition Act — Publication — ordered.

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67/19-8-

From the Collector of South Kanara R. Dis. 2780/55 dt 27-5-55.

pp 1-3 cy

Gro — 5(4) Health dt. 19/8/55

Rt. The draft notification under section 4(1) and the draft declaration under section 6 of the Land Acquisition Act submitted by the Collector of South Kanara with his letter cited, are approved and are forwarded to the Controller of Stationery and Printing, for publication. The controller of Stationery and Printing is requested to see that the notification and the declaration are published in successive

pp 5-6 cy

pp 7-8 cy

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issues (NOT IN THE SAME ISSUE) of the Fort St George Gazette, the notifications under section 4(1) being published earlier.

2. The Court accept the view that the acquisition is an urgent one and direct under section 17(4) of the Land Acquisition Act, that the provisions of section 5-A of the Act shall not apply to this case.

A

the controller of Stationery and Printing (with pp 13-16 of its original)

the collector of South Kanara. (with pp 17-19 of its original)

the Revenue Divisional officer, Coondapur.

the Board of Rev (with a copy of pp 1-3 of)

~~the Rev Dept~~

&c.

Note Revenue may see for acceptance.

Revenue

20/6/55 AV 21.6.55 19.8 CCJ 20/6/55

20/6/55 AV 21.6.55 CCJ 20/6/55

S 2197 C 23 JUN 1955

A.E.L.A.V.O. No. 52402 HC/55-1 21/6/55

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Loos Rev Def

'A' on page 2 ante may be accepted in the dept. (Slight amendments have been indicated in pencil in the draft declaration on pages 7 and 15 C.F.J.

The file may be returned to HECA

HECA

12/8/55

(4/8/55

Rev 13/8/55 HELA

Rev U.O. S 2197 Cl II f

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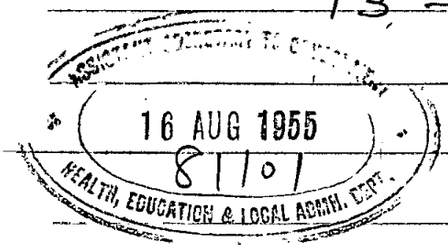

~~HELA (H6)~~

Note of Rev above may be perused.

The draft order on ppl-2 ante may now issue.

17/8/55

AV 18/8/55 JS 19.8.55